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RALEIGH, NC 27602

EXAMINER
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STORM, DONALD L

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/734,289

Applicant(s)

IRVIN ET AL

Examiner

Donald L. Storm

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 20, 24-29, 37 and 41-46 is/are rejected.
- 7) ☒ Claim(s) 13-19, 21-23, 30-36 and 38-40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### *Drawings*

2. The proposed substitute drawings (eight sheets, received December 27, 2004) are present and are now the Figs. 1(a &b)-9 of record. These drawing sheets are substantively acceptable to the Examiner.

#### *Claim Informalities*

3. Claims 13-19, 21-23, 30-36, and 38-40 are objected to as being (directly or indirectly) dependent upon a rejected base claim. See MPEP § 608.01(n)V. The claims would be allowable over the prior art of record if rewritten to include all of the limitations of the base claim and any intervening claims.

4. The Examiner notes, without objection, the possibility of informalities in the claims. The Applicant may wish to consider changes during normal review and revision of the disclosure.

In claim 35, line 3, should the phrase "does not corresponds" be --does not correspond--?

#### *Claim Rejections - 35 USC § 103*

##### *Rahrer and Lennig and Emery '057*

5. Claims 1-3, 6-12, 20, 24-29, 37, and 41-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahrer et al. [International Publication WO 98/25393] in view of Lennig [US Patent 5,479,488] and Emery et al. [US Patent 5,727,057 (Emery '057)], all already of record.

6. Regarding claim 1, Rahrer [at page 1] describes that speech recognition that provides a directory of voice patterns in a mobile embodiment is conventional, and describes the content and functionality of the recited limitations recognizable as a whole to one versed in the art as the following terminology:

receiving voice input at a mobile communications device [at page 1, lines 12-30, as voice input in mobile cellular telephone applications when the user of states a name];

a set of voice patterns stored in memory of the mobile communications device [at page 1, lines 16-37, as on the order of 50 entries of speech templates stored in an electronic personal telephone directory in mobile cellular telephone applications];

associating a measure with each voice pattern in the set based on how closely the stored voice pattern matches the voice input [at page 1, lines 29-37, as perform speech recognition to correlate on the order of 50 speech template entries with the spoken name];

the measure is a confidence measure associated with each pattern in the set based on how closely the stored pattern matches the input [at page 20, lines 14-21, as assign confidence metrics respectively to records of characteristic fields in the personal directory representing a respective probability that a respective record is the desired record].

Rahrer also describes:

modifying the confidence measures corresponding to one (or to more) of the stored telephone numbers [at page 32, lines 27-36, as weight the confidence metric associated with the possible record].

However, Rahrer does not explicitly describe determining the current geographical position of the mobile device and basing the modification of the confidence measures on its current geographical position.

Lennig [at Fig. 2] also describes a communication device with voice dialing, and Lennig describes:

determining a current geographical position of the communications device [at column 8, lines 6-7, as originating locality o associated with CO (central office) originating the call from phone number (NPA)NXX];

confidence measures [at column 8, lines 15-17, as acoustic likelihood logP for each locality & at column 10, line 3, as acoustic score nas];

modifying them based on the current position [column 8, lines 15-20, as summing logP (portion of total recognition score) for each locality with weighted logarithm of P(d)].

Both Rahrer and Lennig provide speech recognition results and probabilities, and both Rahrer and Lennig modify the recognition probabilities based on other parameters to provide more reliable selection of a telephone number to be called. Lennig applies the location information, such as geographic area of the originating CO (Central Office), to improving the reliability of choosing the correct recognition result of a list of results, such as Rahrer's list of recognized results. It would have been obvious to one of ordinary skill in the art of speech recognition at the time of invention to include Lennig's concept of improving the likelihoods of the recognition results based on the originating call location because that would provide another way to enhance selection of Rahrer's recognized result and improve the reliability of dialing the correct number.

However, neither Rahrer nor Lennig explicitly describes the location as the current geographical position of a mobile device.

Emery '057 [at column 15, lines 24-61] also has directory lookup based on speech recognition of an utterance that corresponds to a telephone number, and Emery '057 [at column 5, lines 43-56] has location information that is linked to Telephone ID and telephone number. Emery '057 further points out that mobile subscribers may have additional method of capturing Location ID. Emery '057 describes:

current geographical position of a mobile device [at abstract, as positioning data of a cellular, satellite, or radio telephone from continual GPS transmissions].

Both Rahrer and Emery '057 use voice dialing in a mobile telephone. Both Emery '057 [at column 1, lines 60-64] and Lennig suggest a variety of service capabilities based the telephone number or location ID. Lennig applies the location information, such as geographic area of the originating CO (Central Office), to improving the reliability of choosing the correct recognition result of a list of results, such as Emery '057's list of recognized results. Emery '057 provides current position that is suitable as the current location information for a mobile user of Lennig's and Rahrer's speech recognition systems. Accordingly, it would have been obvious to one of ordinary skill in the art of mobile telephony at the time of invention to include Emery '057's concept of providing continual position information to Rahrer's mobile device because then Lennig's method of improving the probability and reliability of choosing the correct recognition result based on originating location could be applied to recognition candidate lists in mobile devices, such as Rahrer's and Emery '057's mobile devices.

7. Regarding claims 2-3, Lennig also describes the additional claim elements of these dependent claims using the same rationale as in the prior Office action (mailed September 23, 2004).

8. Regarding claim 6, Emery '057 also describes:

determining the geographical coordinates of the mobile communications device using a Global Positioning System receiver [at column 4, lines 16-30, as the Location ID encoded as Cartesian Coordinates within the telephone device is available by use of a GPS receiver].

9. Regarding claim 7, Emery '057 also describes:

terrestrial cellular [at column 4, lines 9-30, as cellular radio communication towers and Base Station Systems];

determine the coordinates of the mobile communications device [at column 4, lines 27-30, as the Location ID encoded as Cartesian Coordinates within the telephone device is available];

determining them using terrestrial cellular positioning [at column 7, lines 4-9, as Location ID calculated based on triangulation of base stations].

10. Regarding claim 8, Emery '057 also describes:

the identification code of one or more base stations [at column 6, line 53, as the Base Station cell site];

determine the coordinates of the mobile communications device [at column 4, lines 27-30, as the Location ID encoded as Cartesian Coordinates within the telephone device is available];

determine them from examining the identification code [at column 6, lines 49-55, as the device's Location ID found at the cell site's approximate location from the Base Station cell site].

11. Regarding claim 9, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action.

Lennig also describes:

area code [at column 7, lines 58, as plan area NPA];

determine the current geographical position of the device from it (or from others) [at column 8, lines 6-7, as originating locality o associated with CO (central office) originating the call from phone number (NPA)NXX].

Emery '057 also describes:

the position is determined for a mobile communications device [at abstract, as positioning data of a cellular, satellite, or radio telephone].

12. Regarding claim 10, Lennig also describes;

stored patterns [at column 9, line 65, as tokens in a set];

they each correspond to a stored telephone number [at column 7, lines 21-36, as the match to the spoken business name having its directory number in a database list].

13. Regarding claim 11, Lennig also describes the additional claim elements of this dependent claim using the same rationale as in the prior Office action (mailed September 23, 2004).

14. Regarding claim 12, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. Lennig also describes the additional claim elements of this dependent claim using the same rationale as in the prior Office action (mailed September 23, 2004).



15. Regarding claim 20, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. Emery '057 also describes the additional claim elements of this dependent claim using the same rationale as in the prior Office action (mailed September 23, 2004).

16. Regarding claim 24, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. Emery '057 also describes the additional claim elements of this dependent claim using the same rationale as in the prior Office action (mailed September 23, 2004).

17. Regarding claim 25, Rahrer [at page 1] describes that voice dialing in a mobile embodiment is conventional, and describes the content and functionality of the recited limitations recognizable as a whole to one versed in the art as the following terminology:

receiving voice input at a mobile communications device comprising a voice pattern corresponding to a desired telephone number [at page 1, lines 12-30, as voice input in mobile cellular telephone applications when the user of states a name of a party to be called that correlates with a speech template in association with the directory number of the party to be called];

each voice pattern in a set of stored voice patterns corresponds to a telephone number stored in the mobile communications device [at page 1, lines 16-37, as an utterance's speech template stored in association with each directory number entered among on the order of 50 entries stored in an electronic personal telephone directory in mobile cellular telephone applications];

associating a measure with each voice pattern in the set based on how closely the stored voice pattern matches the voice input [at page 1, lines 29-37, as perform speech recognition to correlate on the order of 50 speech template entries with the spoken name];

the measure is a confidence measure associated with each pattern in the set based on how closely the stored pattern matches the input [at page 20, lines 14-21, as assign confidence metrics respectively to records of characteristic fields in the personal directory representing a respective probability that a respective record is the desired record];

computing a difference between a greatest and next-to-greatest confidence measure [at page 20, lines 26-34, as take the difference of the confidence metrics of the first and second best matches];

dialing the stored telephone number [at page 25, lines 14-17, as depositing the matching record into the register and resuming the dialing algorithm];

the number corresponds to the greatest confidence measure if the difference exceeds a predetermined threshold [at page 21, lines 11-15, as the record that is copied has the highest confidence metric if the difference is greater than the pre-defined value];

a greatest resulting confidence measure [at page 21, lines 19-27, as the greater frequency of use field of the first and second records];

the number corresponds to a greatest resulting confidence measure if the difference is less than the predetermined threshold [at page 21, lines 16-27, as copy to the register the record with the greatest frequency of use field if the difference is less than the pre-defined value].

Rahrer also describes:

modifying the confidence measures corresponding to one (or to more) of the stored telephone numbers [at page 32, lines 27-36, as weight the confidence metric associated with the possible record].

However, Rahrer does not explicitly describe determining the current geographical position of the mobile device and basing the modification of the confidence measures on its current geographical position.

Lennig [at Fig. 2] also describes a communication device with voice dialing, and Lennig describes:

determining a current geographical position of the communications device [at column 8, lines 6-7, as originating locality o associated with CO (central office) originating the call from phone number (NPA)NXX];

confidence measures [at column 8, lines 15-17, as acoustic likelihood logP for each locality & at column 10, line 3, as acoustic score nas];

modifying each of them based on the current position [column 8, lines 15-20, as summing logP (portion of total recognition score) for each locality with weighted logarithm of P(d)];

the measures correspond to the stored telephone numbers [at column 9, line 65-column 10, line 4, as acoustic score nas (portion in weighted score) for each token in the set].

Both Rahrer and Lennig provide speech recognition results and probabilities, and both Rahrer and Lennig modify the recognition probabilities based on other parameters to provide more reliable selection of a telephone number to be called. Lennig applies the location information to improving the reliability of choosing the correct recognition result of a list of results such as Rahrer's list of recognized results. It would have been obvious to one of ordinary skill in the art of speech recognition at the time of invention to include Lennig's concept of

improving the likelihoods of the recognition results based on the originating call location because that would provide another way to enhance selection of Rahrer's recognized result and improve the reliability of dialing the correct number.

However, neither Rahrer nor Lennig explicitly describes the location as the current geographical position of a mobile device.

Emery '057 [at column 15, lines 24-61] also has directory lookup based on speech recognition of an utterance that corresponds to a telephone number, and Emery '057 [at column 5, lines 43-56] has location information that is linked to Telephone ID and telephone number. Emery '057 further points out that mobile subscribers may have additional method of capturing Location ID. Emery '057 describes:

current geographical position of a mobile device [at abstract, as positioning data of a cellular, satellite, or radio telephone from continual GPS transmissions].

Both Rahrer and Emery '057 use voice dialing in a mobile telephone. Both Emery '057 [at column 1, lines 60-64] and Lennig suggest a variety of service capabilities based the telephone number or location ID. Lennig applies the location information, such as geographic area of the originating CO (Central Office), to improving the reliability of choosing the correct recognition result of a list of results, such as Emery '057's list of recognized results. Emery '057 provides current position that is suitable as the current location information for a mobile user of Lennig's and Rahrer's speech recognition systems. Accordingly, it would have been obvious to one of ordinary skill in the art of mobile telephony at the time of invention to include Emery '057's concept of providing continual position information to Rahrer's mobile device because then Lennig's method of improving the probability and reliability of choosing the correct recognition

result based on originating location could be applied to recognition candidate lists in mobile devices, such as Rahrer's and Emery '057's mobile devices.

18. Regarding claim 26, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 6. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there.

19. Regarding claim 27, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 7. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there.

20. Regarding claim 28, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 8. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there.

21. Regarding claim 29, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 11 and in claim 12. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there, with reference to the prior Office action (mailed September 23, 2004).

22. Regarding claim 37, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 20. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there, with reference to the prior Office action (mailed September 23, 2004).

23. Regarding claim 41, Lennig also describes:

user preferences [at column 8, lines 30-37, as the number of requests to and from each NXX given the calling (NPA)NXX];

for one location, the location information of preferences identifies at least one stored telephone number that is most likely to be called [at column 8, lines 37-56, as for the originating locality (NPA)NXX, the likelihood of a request that the originating locality is also the destination locality (NPA)NXX is higher].

24. Regarding claim 42, Rahrer [at page 1] describes that speech recognition that provides a directory of voice patterns in a mobile embodiment is conventional, and describes the content and functionality of the recited limitations recognizable as a whole to one versed in the art as the following terminology:

receiving voice input, which comprises a label indicative of a remote party, from a user of a mobile communications device [at page 1, lines 12-30, as voice input in mobile cellular telephone applications when the user of states a name of a party to be called];

a microphone to receive it [at page 6, lines 31-32, as a microphone included in a voice recognition unit input device];

voice patterns stored on the mobile communications device [at page 1, lines 16-37, as on the order of 50 entries of speech templates stored in an electronic personal telephone directory in mobile cellular telephone applications];

speech recognition to provide measures based on a comparison of the voice input and each stored voice pattern [at page 1, lines 29-37, as perform speech recognition to correlate on the order of 50 speech template entries with the spoken name];

the measures are confidence measures based on a comparison of the input and each stored pattern [at page 20, lines 14-21, as assign confidence metrics respectively to records of characteristic fields in the personal directory representing a respective probability that a respective record is the desired record].

a speech recognition circuit for the speech recognition [at page 6, lines 31-32, as a voice recognition unit input device];

Rahrer also describes:

adjusting a confidence measure [at page 32, lines 27-36, as weight the confidence metric].

However, Rahrer does not explicitly describe determining the current geographical position of the mobile device and basing the modification of the confidence measures on its current geographical position.

Lennig [at Fig. 2] also describes a communication device with voice dialing, and Lennig describes:

determine a current geographical position of the communications device [at column 8, lines 6-7, as originating locality o associated with CO (central office) originating the call from phone number (NPA)NXX];

circuitry for determining it [at Fig. 2, items 40, 33, 30, 31, 12, 27, 1, 14A, and column 5, lines 10-14, as ANI for transmitting the number of the calling terminal];

confidence measures [at column 8, lines 15-17, as acoustic likelihood logP for each locality & at column 10, line 3, as acoustic score nas];

logic to adjust each of them based on the current position [at Fig. 2, item 14A, as speech recognition system and column 8, lines 15-20, as summing logP (portion of total recognition score) for each locality with weighted logarithm of P(d)].

Both Rahrer and Lennig provide speech recognition results and probabilities, and both Rahrer and Lennig modify the recognition probabilities based on other parameters to provide more reliable selection of a telephone number to be called. Lennig applies the geographic information to improving the reliability of choosing the correct recognition result of a list of results such as Rahrer's list of recognized results. It would have been obvious to one of ordinary skill in the art of speech recognition at the time of invention to include Lennig's concept of improving the likelihoods of the recognition results based on the originating call location because that would provide another way to enhance selection of Rahrer's recognized result and improve the reliability of dialing the correct number.

However, neither Rahrer nor Lennig explicitly describes the location as the current geographical position of a mobile device.

Emery '057 [at column 15, lines 24-61] also has directory lookup based on speech recognition of an utterance that corresponds to a telephone number, and Emery '057 [at column 5,



lines 43-56] has location information that is linked to Telephone ID and telephone number.

Emery '057 further points out that mobile subscribers may have additional method of capturing

Location ID. Emery '057 describes:

positioning circuitry to determine a current geographical position of a mobile communications device [at abstract, as a cellular, satellite, or radio telephone and positioning data from continual GPS transmissions].

Both Rahrer and Emery '057 use voice dialing in a mobile telephone. Both Emery '057 [at column 1, lines 60-64] and Lennig suggest a variety of service capabilities based the telephone number or location ID. Lennig applies the location information, such as geographic area of the originating CO (Central Office), to improving the reliability of choosing the correct recognition result of a list of results, such as Emery '057's list of recognized results. Emery '057 provides current position that is suitable as the current location information for a mobile user of Lennig's and Rahrer's speech recognition systems. Accordingly, it would have been obvious to one of ordinary skill in the art of mobile telephony at the time of invention to include Emery '057's concept of providing continual position information to Rahrer's mobile device because then Lennig's method of improving the probability and reliability of choosing the correct recognition result based on originating location could be applied to recognition candidate lists in mobile devices, such as Rahrer's and Emery '057's mobile communications devices.

25. Regarding claim 43, Emery '057 also describes:

position by a Global Positioning Systems receiver [at column 4, lines 16-18, as use of a GPS receiver].

26. Regarding claim 44, Emery '057 also describes:

deriving current geographical position of the mobile communications device [at column 4, lines 27-30, as the Location ID encoded as Cartesian Coordinates within the telephone device is available];

deriving it using information of positioning [at column 7, lines 4-9, as Location ID calculated based on triangulation of base stations];

the positioning uses terrestrial cellular [at column 4, lines 9-16, as cellular radio communication to towers and Base Station Systems].

27. Regarding claim 45, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 8. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there.

28. Regarding claim 46, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. This claim sets forth additional limitations similar to limitations set forth in claim 9. Rahrer, Lennig, and Emery '057, describe and make obvious the additional limitations as indicated there.

**Rahrer and Lennig and Emery '057 and Emery '242**

29. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rahrer et al. [International Publication WO 98/25393] in view of Lennig [US Patent 5,479,488], Emery et al.

[US Patent 5,727,057 (Emery '057)], and Emery et al. [US Patent 6,519,242 (Emery '242)], all already of record.

30. Regarding claims 4 and 5, Rahrer, Lennig, and Emery '057 describe and make obvious the included claim elements by dependency as indicated elsewhere in this Office action. Emery '242 describes and makes obvious the additional claim elements of these dependent claims using the same rationale as in the prior Office action (mailed September 23, 2004).

### ***Response to Arguments***

31. The prior Office action, mailed September 23, 2004, objects to the title and claims, and rejects claims under 35 USC § 102 and § 103. The Applicant's arguments and changes in RESPONSE TO NON-FINAL OFFICE ACTION filed December 27, 2004 have been fully considered with the following results.

32. With respect to objection to the title, the changes entered by amendment are sufficiently descriptive. Accordingly, the objection is removed.

33. With respect to objection to the claims as dependent upon a rejected base claim, the claims are dependent upon rejected base claims. Accordingly, the objections are maintained.

34. With respect to objection to those claims needing clarification, the changes entered by amendment provide clear descriptions of the claimed subject matter. Accordingly, the objections are removed.

35. With respect to rejection of claims 1, 42, and claims dependent to them, under 35 USC § 102 and § 103, citing Bielby and Lennig alone and in combination, the changes entered by amendment to claims 1 and 42 include a mobile communications device storing voice patterns.

The references Bielby and Lennig do not explicitly describe that limitation and the current combinations of Lennig and other references do not make such a limitation obvious for the whole structure expressed by the combination of all limitations compared to the prior art of record. Accordingly, the rejections are removed. The Applicant's assertions with respect to the references of record have been considered, but they are moot in view of the new claim element. Please see new grounds of rejection applied to address the new claim element: a mobile communications device storing voice patterns. .

36. With respect to rejection of claim 25 and claims dependent to it under 35 USC § 103, citing Lennig, Rahrer, and Emery '057 in combination, the Applicant's arguments appear to be as follows:

a. The Applicant's argument appears to be that NPA-NXX does not provide the calling area of a mobile device; hence does not provide its geographic position. The Examiner agrees. The NPA-NXX provides the calling area of both the originating device and of the CO (central office) for Lennig's non-mobile device that originates the call through the device's CO at originating location (o). Lennig [at column 2, lines 50-55] indicates that the originating locality is a geographical area. However, this argument is not persuasive because one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Lennig and Rahrer combine with Emery '057 to teach all the claim

elements. Lennig's teaching of using the geographic area defined for a non-mobile telephone when the telephone originates a call would suggest using a geographic area of a mobile telephone when the mobile telephone makes a call. Emery '057 determines the geographic area of a mobile telephone when the mobile telephone makes a call.

b. The Applicant's argument appears to be that the none of Rahrer, Emery '057, or Lennig suggests their combination. This argument is not persuasive because the combination of references may suggest doing what the Applicant has done even though individually they do not teach or suggest exactly why this should be done, other than to obtain the expected superior beneficial results. The Applicant argues a single system that attempts to enhance each function for which Rahrer, Emery '057, or Lennig have individually described the enhancements. To combine the functions for which enhancements were already provided and published, and then to suppose that an artisan would not find it obvious to combine the published enhancements is not persuasive.

The Applicant's arguments have been fully considered but they are not persuasive. Accordingly, the rejections are maintained.

### ***Conclusion***

37. The following references here made of record are considered pertinent to applicant's disclosure:

Haimi-Cohen [US Patent 6,374,221] can implement speech recognition and memory having voice patterns on separate mobile stations, in a network, in an MSC, and/or by a service provider.

38. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

39. Any response to this action should be mailed to:

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to:**

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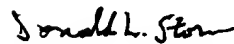
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40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Storm, of Art Unit 2654, whose telephone number is (703) 305-3941. The examiner can normally be reached on weekdays between 8:00 AM and 4:30 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: [ebc@uspto.gov](mailto:ebc@uspto.gov). For general information about the PAIR system, see <http://pair-direct.uspto.gov>.

  
Donald L. Storm  
April 25, 2005

  
RICHEMOND DORVIL  
SUPERVISORY PATENT EXAMINER